IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 727 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

MADANLAL VARDHICHAND

Versus

PRAGJIBHAI DHANAJIBHAI MISTRI

Appearance:

MR NITIN M AMIN for Petitioner

MR VIJAYSINH SOLANKI for Respondent No. 1

MR VM PANCHOLI, APP for Respondent No. 2

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 24/11/2000

ORAL JUDGEMENT

Heard the learned counsel for the petitioner.

The learned Magistrate has turned down the request of the petitioner to give the Muddamal to him during the

pendency of the trial and has ordered it to be returned to the complainant on his executing the necessary bond. The learned Additional Sessions Judge has confirmed the order in Revision. I see no reason to interfere in exercise of the jurisdiction under Article 227 of the Constitution. The learned counsel for the petitioner states that the trial is still pending. There is no doubt that the Trial Court will pass appropriate orders with regard to the disposal of the Muddamal at the end of the trial. The Trial Court is expected to give priority to and dispose of the pending Criminal case at the earliest. Rule discharged. Interim relief stands vacated.

(M.C. Patel, J.)

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